

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/601377			

EXAMINER

M. BUDD

ART UNIT

PAPER NUMBER

7834

#12

DATE MAILED:**INTERVIEW SUMMARY**

All participants (applicant, applicant's representative, PTO personnel):

(1) M. David Bille Jean (3)
(2) Mr. Remus Fedea (4)

Date of interview 2-27-02

Type: Telephonic Personal (copy is given to applicant applicant's representative).Exhibit shown or demonstration conducted: Yes No If yes, brief description:Agreement was reached. was not reached.

Claim(s) discussed: Proposed amendment to claim 1 (copy attached)

Identification of prior art discussed: All

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed structure of proposed claims and how it distinguished from the art of record.
Upon filing of an amendment a new search / consideration may be required.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has not been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

MARIAU. BUDD
PRIMARY EXAMINER
ART UNIT 77

Manual of Patent Examining Procedure, Section 713.04 Substance of interview must Be Made of Record

A complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

713.04 Interviews

On the occurrence where a determination is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the responsibility of response to Office action as specified in §§ 1.111, 1.126, 35 U.S.C. (32).

Business to be transacted in writing. All business with the Patent or Trademark Office must be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be taken exclusively in the written record of the Office. No attention will be paid to any alleged oral promise, statement, or understanding in contrast to which there is disagreement or dispute.

The action of the Patent and Trademark Office during the filing, handling, or in the substantive part of the application will be recorded in full accordance with the following to depict the substance of interviews.

It is the responsibility of the applicant or the attorney or agent under his or her disclosure of record or in substance disclosed in the application, unless the applicant indicates otherwise, that it is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Information and material added in later amendment or by correspondence, by other such as telephone after entry of the application, or by any disclosure made during the interview, or made by the applicant or his attorney or agent in writing to the Office in any communication regarding any substantive matter, except prior art, requirements, or other interview recordation is otherwise provided for in Section 312.04 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unavoidable bugs in Office actions of the like, are excluded from the interview recordation procedure.

The Interview Summary Form should be given an appropriate place for entry, planned as the substantive portion of the file, and used in the "Remarks" part of the file. The first part of the application can be filed as applicant's first communication. In a second interview, the duplicate copy of the Form is signed and given to the applicant, who may copy it, or make a copy of it, or attach it to his or her communication. In a third interview, if the application is still in process, it is recommended that the Form be filed as a communication from the examiner, and the examiner should sign it in view of the particular circumstances.

The Form provides for a recordation of the following information:

- General Number of the application
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (personal or telephonic)
- Name of participant(s) (applicant, attorney or agent, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the claims discussed
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). (Agreements as to allowability are tentative and do not restrict further action by the examiner to the contrary.)
- The signature of the examiner who conducted the interview
- Name of Patent and Trademark Office personnel present

The Form also contains a statement reminding the applicant of his responsibility to record the substance of the interview.

It is requested that the examiner orally remind the applicant of his obligation to record the substance of the interview in each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of any interview, or when the inadequacy recorded on the Form or in an attachment to the Form, the examiner should check a box at the bottom of the Form informing the applicant that he need not supplement the Form by submitting a separate record of the substance of the interview.

It is requested, however, that the Interview Summary Form will be used to consider a complete and precise recordation of the interview, unless, in the judgment of the applicant, the examiner is unable, or it is impracticable, being urged jointly concerning the substance of the interview.

Incomplete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted.
- 2) An identification of the claims discussed.
- 3) An identification of specific prior art discussed.
- 4) An identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the examiner.
- 5) A brief statement concerning the general thrust or the principal arguments presented to the examiner. The identification of arguments need not be lengthy or of precise, or even a highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature of the arguments the participant arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he feels were or might be persuasive to the examiner.
- 6) A general indication of any other pertinent matters discussed, and
- 7) If appropriate, a general result or outcome of the interview, if not already described in the Interview Summary Form completed by the examiner.

It is requested that the examiner record the "Interview Summary Form" or a copy of the same in the application. If this record is not complete or accurate, the examiner will give the applicant an opportunity to file or the copying letter or the examiner's reply period for response, whichever is longer, to complete the response and thereby avoid abandonment of the application (37 CFR 1.105(e)).

713.05 Examiner to Check for Accuracy

Applicant is reminded of what took place in the interview, and to clearly recite or reiterate the accuracy of any statement or finding of record. If the record of the interview is found to be inaccurate and of record, and if the record is not the record of examination, it should be pointed out in the file. Otherwise, if the record is inaccurate for any other reason or record, the examiner is to make certain nothing further is or has been done to the interview, and if so, if the record is incomplete and accurate, the examiner should place the indication "Interview record OK" on the paper recording the substance of the interview along with the date and